



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,214	03/25/2005	Harald Karl Gretsch	WI.2061 PCT-US	4771
7590 Douglas R Hanscom Jones Tullar & Cooper P O Box 2266 Eads Station Arlington, VA 22202	06/05/2007		EXAMINER COLILLA, DANIEL JAMES	
			ART UNIT 2854	PAPER NUMBER
			MAIL DATE 06/05/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/529,214	GRETsch ET AL.
	Examiner	Art Unit
	Daniel J. Colilla	2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 February 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 39-79 is/are pending in the application.
- 4a) Of the above claim(s) 59-65 is/are withdrawn from consideration.
- 5) Claim(s) 77-79 is/are allowed.
- 6) Claim(s) 39-58 and 66-76 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 February 2007 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: **03**. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 39-58 and 66-76 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 71 improperly depends from claim 72.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. Some examples of these errors are as follows:

In general, the claims are directed to methods; however, very few method steps appear to be clearly recited.

In claim 39:

“The second, local control processes” has no antecedent basis in the claims. Reference numeral “05” has been used in association with “a following traction element” and “at least one actuating member.”

In claim 40, line 3, “an actuating member” appears to be a double recitation of that which has already been recited in claim 1. In claim 40, line 3, “a control system” appears to be a double recitation of the global or local control system recited in claim 1. However, this is not clear.

In claim 40, phrases such as “as to its course,” “a first prescription” and “a change in the position or form of at least one term of a linguistic description of a fuzzyfication” have no clear meaning in the claims and appear to be a poor translation from German into English.

In claim 43, line 3, “the last valid desired values” has no antecedent basis in the claims and thus the term is not clearly defined.

In claim 44, the phrase, “the position or form of a term in the allocation diagram of a fuzzyfication” appears to be a poor translation and the term “the allocation diagram” has no antecedent basis in the claims.

In claim 47, “the further inward located one of the two web” has no antecedent basis in the claims.

In claim 50, line 4, the phrase “the processing stage (03) designed as a printing unit” is unclear. If applicant is intending to recite that the processing stage *is* a printing unit, then applicant should do so. The term “designed as” renders the claim vague and indefinite.

In claim 50, line 6, “the control process” has no proper antecedent basis. Previously plural control processes have been recited. It is not clear as to which one applicant is referring.

In claim 53, line 5, the phrase, “is intended to lie” renders the claim vague and indefinite. It is not clear if this does or does not positively recite that the web tension is within a tolerance range.

The above are just some examples of the problems with claims 39-58 and 66-76; however, this is not an exhaustive list. All such problems must be corrected. Due to the extensive nature of the 112, second paragraph problems with claims 39-58 and 66-76, prior art could not accurately be applied at this time. Once these problems are overcome, any relevant prior art will be applied.

Allowable Subject Matter

4. Claims 77-79 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

Claim 77-79 has been allowed primarily for the steps of providing a first local tension control process for controlling web tension in a first separate web, controlling the first web's tension using a first local tension control process to generate a first local tension control value,

combining the first web and a second web into a web strand and providing a global tension control process for controlling relative web tension between the first and second separate webs.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schweiger, Koch, Hartman *et al.* and Palmatier *et al.* are cited to show other examples of joining webs into a combined web strand with tension adjustment of webs.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Colilla whose telephone number is 571-272-2157. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached at 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 29, 2007

/Daniel J. Colilla/
Primary Examiner
Art Unit 2854